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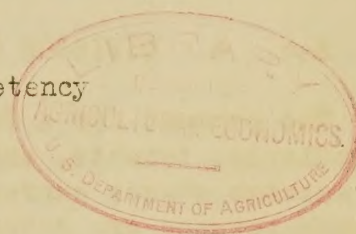
Issued October 18, 1939

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION

1940 PARITY PAYMENT REGULATIONS

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Parity payments will be made to producers of wheat, cotton, corn (in the commercial corn-producing area), rice, and tobacco, in accordance with the provisions of these regulations and such modifications thereof as may hereafter be made.

#### Section 1 ELIGIBILITY FOR PAYMENT

In order to be eligible for a payment with respect to a commodity a person must have an interest as a landlord, tenant, or sharecropper in a farm (1) for which an acreage allotment has been established for the commodity under the 1940 Agricultural Conservation Program; (2) on which the acreage planted to such commodity for harvest in 1940 is not in excess of such acreage allotment; (3) which is being operated in 1940; and (4) on which the county committee finds that the sum of the acreages of corn, cotton, rice, tobacco, and wheat does not exceed the sum of the allotments or permitted acreages for such crops under the 1940 Agricultural Conservation Program. Application may be made prior to determination of performance under (4) above, in which case the person shall agree to refund the payment made if full performance is not rendered.

#### Sec. 2 MEASURE OF PAYMENT

The payment for a farm with respect to any commodity shall be measured by the product of the normal yield per acre and of the acreage allotment established for that commodity for such farm under the 1940 Agricultural Conservation Program.

#### Sec. 3 RATE OF PAYMENT

The rate of payment with respect to any commodity shall be determined, within the limits of available funds, in accordance with the provisions of Section 303 of the Agricultural Adjustment Act of 1938 and the item "Parity payments" in the Department of Agriculture Appropriation Act, 1940. The rate of payment with respect to a commodity shall not exceed the amount by which the 1939 average farm price of the commodity is less than 75 percentum of the parity price.

#### Sec. 4 DIVISION OF PAYMENT

The payment for a farm with respect to any commodity shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares expressed in terms of either planted acreages or percentages) that such persons are determined by the county committee to be entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of such commodity planted on the farm for harvest in 1940. Such determination shall be made at the time the county committee approves the application for payment: Provided, That if any such commodity is not planted for harvest on the farm in 1940 or the acreage of such commodity is substantially reduced by flood, hail, drought, or insects, payment with respect to such commodity shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of such commodity if the entire acreage in the acreage allotment for such commodity had been planted and harvested in 1940; Provided further, That in cases where two or more separately owned tracts of land comprise a farm, in any area designated by the Agricultural Adjustment Administration as an area in which a substantial proportion of the farms comprise two or more separately owned tracts of land, upon



the written agreement of all persons who are entitled to receive a share of the proceeds of any such commodity the share of each such person in the payment with respect to such commodity on the farm shall be that share which fairly reflects the contribution of each such person to performance with respect to such commodity and also results substantially in a division of such payment among landlords, tenants, and sharecroppers as classes as each such class shares in the commodity or proceeds thereof with respect to which the payment is being made; Provided, further, That if for any reason the total acreage of cotton on the farm in 1940 is less than 80 percent of the cotton acreage allotment established for the farm and the acreage of cotton which is or would have been planted for harvest on the farm in 1940 by any tenant or sharecropper is not substantially proportionate to the acreage of cotton which such tenant or sharecropper would normally plant thereon, and all the persons who are or would have been entitled to receive a share of the proceeds of cotton agree, as shown by their signatures on the application for payment or a separate statement, the payment computed for cotton for the farm shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of the cotton crop if the entire acreage in the cotton acreage allotment had been planted and harvested in 1940, but in no event shall the acreage share so determined for any person be less than such person's acreage share of the acreage planted to cotton on the farm in 1940.

#### Sec. 5 GENERAL PROVISIONS RELATING TO PAYMENTS

(a) Payments restricted to effectuation of purposes of the program. All or any part of any payment which would otherwise be made to any person under these regulations may be withheld or required to be refunded if the county committee finds that (1) he has overplanted or caused the overplanting of the acreage allotment which was or could have been established for a separately-owned tract of land included in a combination farm and refuses to cooperate with other producers having an interest in the farm in making equitable adjustments with respect thereto, or (2) he has adopted any practices which the Secretary determines tend to defeat any of the purposes for which parity payments are made.

(b) Overplanting on other farms. All or any part of any payment which would otherwise be made to any person under these regulations may be withheld or required to be refunded (1) if such person's share of the 1940 acreage of corn, cotton, rice, tobacco, or wheat on other farms in the county exceeds his share of the acreage allotments or permitted acreages under the 1940 Agricultural Conservation Program on such farms and the county committee determines, in accordance with instructions issued by the Agricultural Adjustment Administration that such overplanting substantially offsets the performance on the farm with respect to which payment might otherwise be made, or (2) if the State committee finds that the person's share of the 1940 acreage of corn, cotton, rice, tobacco, or wheat on any other farms in which the person has an interest exceeds such person's share of the allotment or permitted acreage under the 1940 Agricultural Conservation Program on such farms to such an extent as to offset substantially the performance on the farm with respect to which payment might otherwise be made.

(c) Payments made without regard to claims. Any payment or share of payment shall be made without regard to questions of title under State law, without deduction of assignments or claims for advances (except indebtedness to the United States subject to setoff under orders issued by the Secretary), and without regard



to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

(d) Changes in leasing and cropping agreements, reduction in number of tenants, and other devices. If on any farm in 1940 any change of the arrangements which existed on the farm in 1939 is made between the landlord or operator and the tenants or sharecroppers and such change would cause the landlord or operator to receive a greater proportion of the payments than they would otherwise receive, payments to the landlord or operator shall not be greater than the amount they would have received if the arrangements which existed on the farm in 1939 had been continued in 1940, if the county committee certifies that the change is not justified and disapproves such change.

If on any farm the number of sharecroppers or share tenants in 1940 is less than the average number on the farm during the three years 1937 to 1939 and such reduction would increase the payments that would otherwise be made to the landlord or operator, such payments shall not be greater than the amount that would otherwise be made, if the county committee certifies that the reduction is not justified and disapproves such reduction.

If the State committee finds that any person who files an application for payment has employed any other scheme or device, (including coercion, fraud, or misrepresentation) the effect of which would be or has been to deprive any other person of any payment under these regulations to which such person would normally be entitled, the Secretary may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require such person to refund, in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the program.

#### Sec. 6 DEDUCTION FOR ASSOCIATION EXPENSES

No part of the parity payment computed for any farm shall be deducted for county association expenses incurred or to be incurred in connection with 1940 parity payments.

#### Sec. 7 APPLICATION FOR PAYMENT

Payment will be made only upon application submitted through the county office on or before a date fixed by the Regional Director, but not later than December 31, 1940. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm, (2) to refuse to accept any application for payment if any form or information required is not submitted to the county office within the time fixed by the Regional Director. At least two weeks notice to the public shall be given of the expiration of a time limit for filing prescribed forms, and any time limit fixed shall be such as affords a full and fair opportunity to those eligible to file the form within the period prescribed. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

#### Sec. 8 DEATH, DISAPPEARANCE, OR INCOMPETENCY

(a) Death. Where any person who is otherwise eligible to receive a payment dies before the payment is received, payment will be made upon proper application



therefor, without regard to claims of creditors other than the United States, in accordance with the following order of precedence:

- (1) To the administrator or executor of the deceased person's estate:
- (2) If there is no administrator or executor and none is expected to be appointed, to the surviving spouse:
- (3) If there is no surviving spouse, to the sons and daughters in equal shares. Children of a deceased son or daughter of a deceased person shall be entitled to their parent's share of the payment, share and share alike. If there are no surviving direct descendants of a deceased son or daughter of such deceased person, the share of the payment which otherwise would have been made to such son or daughter shall be divided equally among the sons and daughters of such deceased person who are alive or who have surviving children.
- (4) If there is no surviving spouse and no direct descendant, payment shall be made to the father and mother of the deceased person in equal shares, or the whole thereof to the surviving father or mother;
- (5) If there is no surviving spouse, no direct descendant, and no surviving parent, payment shall be made to the brothers and sisters of the deceased person in equal shares. Children of a deceased brother or sister shall be entitled to their parent's share of the payment, share and share alike. If there are no surviving direct descendants of the deceased brother or sister of such deceased person, the share of the payment which otherwise would have been made to such brother or sister shall be divided equally among the brothers and sisters of such deceased person who are alive or who have surviving children;
- (6) If there is no surviving spouse, direct descendant, parent, or brothers or sisters of their descendants, the payment shall be made to the heirs-at-law.

Legally adopted children shall be entitled to share in any payment in the same manner and to the same extent as other children. If any person who is entitled to payment under the above order of precedence is a minor, payment of his share shall be made to his legal guardian, but if no legal guardian has been appointed payment shall be made to his natural guardian or custodian for his benefit, unless the minor's share of the payment exceeds \$500, in which event payment shall be made only to his legal guardian. Any payment which the deceased person could have received may be made jointly to the persons found to be entitled to such payment or shares thereof under this subsection, or, pursuant to instructions issued by the Agricultural Adjustment Administration, a separate check may be issued to each person entitled to share in such payment.

(b) Disappearance. In case any person entitled to payment hereunder disappears after making application but before receiving the payment, such payment will be made without regard to claims of creditors other than the United States to one of the following in the order mentioned:

- (1) The conservator or liquidator of his estate, if one be duly appointed
- (2) The spouse.



- (3) An adult son or daughter or grandchild for the benefit of his estate.
- (4) The mother or father for the benefit of his estate.
- (5) An adult brother or sister for the benefit of his estate.

A person shall be deemed to have disappeared if (1) he has been missing for a period of more than three months, (2) a diligent search has failed to reveal his whereabouts, and (3) such person has not communicated during such period with other persons who would be expected to have heard from him. Proof of such disappearance must be presented to the county committee in the form of an affidavit executed by the person making the application for payment, setting forth the above facts, and must be substantiated by an affidavit from a disinterested person who was well acquainted with the person who has disappeared.

(c) Incompetency. Where any person who is otherwise eligible to receive a payment is adjudged incompetent by a court of competent jurisdiction before the payment is received, payment will be made, upon proper application therefor, without regard to claims of creditors other than the United States to the guardian or committee legally appointed for such incompetent person. In case no guardian or committee has been appointed, payment, if not more than \$500, may be made without regard to claims of creditors other than the United States to one of the following in the order mentioned for the benefit of the incompetent person:

- (1) The spouse.
- (2) An adult son, daughter, or grandchild.
- (3) The mother or father.
- (4) An adult brother or sister.
- (5) Such person as may be authorized under State law to receive payment for him (see standard procedure prescribed for the respective region).

In case payment is more than \$500, payment may be made only to such person as may be authorized under State law to receive payment for the incompetent producer.

## Sec. 9 APPEALS

Any person may, within 15 days after notice thereof is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation or determination in any of the following matters respecting any farm in the operation of which he has an interest as landlord, tenant, or share-cropper: (a) eligibility to file an application for payment; (b) the division of payment; or (c) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person of its decision in writing within 15 days after receipt of such written request for reconsideration. If such person is dissatisfied with the decision of the county committee he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person of its decision in writing within 30 days after the



receipt of the appeal. If such person is dissatisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the regional director to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee shall also be issued to each person known to it who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter further, but any person who, as landlord, tenant or sharecropper having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal shall be given a full and fair hearing if he appears when the hearing thereon is held.

#### Sec. 10 FORMS AND INSTRUCTIONS

The Agricultural Adjustment Administration shall prescribe such forms and issue such instructions as may be necessary to carry out these regulations.

#### Sec. 11 PERFORMANCE OF DUTIES OF STATE AND COUNTY COMMITTEES IN HAWAII AND PUERTO RICO

In the event State and county agricultural conservation committees have not been established in the Territory of Hawaii or Puerto Rico, the Officer in Charge, Agricultural Adjustment Administration, Territory of Hawaii, or Puerto Rico, as the case may be, shall perform the duties of both the State and county committees as set forth in these regulations.

#### Sec. 12 DEFINITIONS

As used herein and in all forms and documents relating to 1940 parity payments for producers of wheat, cotton, corn (in the commercial corn-producing area), rice, and tobacco, unless the context or subject-matter otherwise requires, the terms:

(a) Secretary, Regional Director, State committee, county committee, person, landlord, tenant, sharecropper, commercial corn-producing area, acreage planted to wheat, acreage planted to cotton, and acreage planted to corn shall have the same meanings assigned to them in the 1940 Agricultural Conservation Program Bulletin and supplements thereto.

(b) Farm means the area of land considered as a farm for the purposes of the 1940 Agricultural Conservation Program.

(c) Parity and marketing year shall have the same meanings assigned to them in the Agricultural Adjustment Act of 1933.

#### Sec. 13 AUTHORITY

These regulations are approved pursuant to the authority vested in the Secretary of Agriculture by the item entitled "Parity payments" under the head "Conservation and Use of Agricultural Land Resources, Department of Agriculture," contained



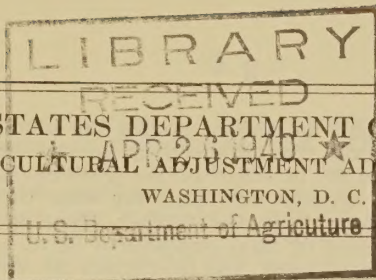
in the Department of Agriculture Appropriation Act, 1940 (Public, No. 159, 76th Congress, approved June 30, 1939; 53 Stat. 974) and pursuant to the provisions of Section 303 of the Agricultural Adjustment Act of 1938, approved February 16, 1938 (Public Law No. 430, 75th Congress, 3d Session; 52 Stat. 45).

[SEAL]

Done at Washington, D. C.,  
this 18th day of October, 1939.  
Witness my hand and the seal of the  
Department of Agriculture.

/s/ Harry L. Brown  
Assistant Secretary of Agriculture.





UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION

WASHINGTON, D. C.

U.S. Department of Agriculture

## 1940 PARITY PAYMENT REGULATIONS

Parity payments will be made to producers of wheat, cotton, corn (in the commercial corn-producing area), rice, and tobacco, in accordance with the provisions of these regulations and such modifications thereof as may hereafter be made.

### SECTION 1.—ELIGIBILITY FOR PAYMENT

In order to be eligible for a payment with respect to a commodity a person must have an interest as a landlord, tenant, or sharecropper in a farm (1) for which an acreage allotment has been established for the commodity under the 1940 Agricultural Conservation Program; (2) on which the acreage planted to such commodity for harvest in 1940 is not in excess of such acreage allotment; (3) which is being operated in 1940; and (4) on which the county committee finds that the sum of the acreages of corn, cotton, rice, tobacco, and wheat does not exceed the sum of the allotments or permitted acreages for such crops under the 1940 Agricultural Conservation Program. Application may be made prior to determination of performance under (4) above, in which case the person shall agree to refund the payment made if full performance is not rendered.

### SEC. 2.—MEASURE OF PAYMENT

The payment for a farm with respect to any commodity shall be measured by the product of the normal yield per acre and of the acreage allotment established for that commodity for such farm under the 1940 Agricultural Conservation Program.

### SEC. 3.—RATE OF PAYMENT

The rate of payment with respect to each commodity shall be as follows:

- (a) COTTON—1.55 cents per pound of the normal yield per acre of cotton for the farm for each acre in the cotton allotment.
- (b) CORN—5 cents per bushel of the normal yield per acre of corn for the farm for each acre in the corn allotment.
- (c) WHEAT—10 cents per bushel of the normal yield per acre of wheat for the farm for each acre in the wheat allotment.
- (d) RICE—1.7 cents per hundredweight of the normal yield per acre of rice for the farm for each acre in the rice allotment.
- (e) TOBACCO—No parity payments shall be made with respect to tobacco, since the average farm price of each kind of tobacco, as defined in Section 301 of the Agricultural Adjustment Act equals or exceeds 75 per centum of the parity price of such kind of tobacco.

### SEC. 4.—DIVISION OF PAYMENT

The payment for a farm with respect to any commodity shall be divided among the landlords, tenants, and sharecroppers in the same proportion (as indicated by their acreage shares expressed in terms of either planted acreages or percentages) that such persons are determined by the county committee to be entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of such commodity planted on the farm for harvest in 1940. Such determination shall be made at the time the county committee approves the application for payment: *Provided*, That if any such commodity is not planted for harvest on the farm in 1940 or the acreage of such commodity is substantially reduced by flood, hail, drought, or insects, payment with



respect to such commodity shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of such commodity if the entire acreage in the acreage allotment for such commodity had been planted and harvested in 1940: *Provided further*, That in cases where two or more separately owned tracts of land comprise a farm, in any area designated by the Agricultural Adjustment Administration as an area in which a substantial proportion of the farms comprise two or more separately owned tracts of land, upon the written agreement of all persons who are entitled to receive a share of the proceeds of any such commodity the share of each such person in the payment with respect to such commodity on the farm shall be that share which fairly reflects the contribution of each such person to performance with respect to such commodity and also results substantially in a division of such payment among landlords, tenants, and sharecroppers as classes as each such class shares in the commodity or proceeds thereof with respect to which the payment is being made; *Provided, further*, That if for any reason the total acreage of cotton on the farm in 1940 is less than 80 percent of the cotton acreage allotment established for the farm and the acreage of cotton which is or would have been planted for harvest on the farm in 1940 by any tenant or sharecropper is not substantially proportionate to the acreage of cotton which such tenant or sharecropper would normally plant thereon, and all the persons who are or would have been entitled to receive a share of the proceeds of cotton agree, as shown by their signatures on the application for payment or a separate statement, the payment computed for cotton for the farm shall be divided among the landlords, tenants, and sharecroppers in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of the cotton crop if the entire acreage in the cotton acreage allotment had been planted and harvested in 1940, but in no event shall the acreage share so determined for any person be less than such person's acreage share of the acreage planted to cotton on the farm in 1940.

#### SEC. 5.—GENERAL PROVISIONS RELATING TO PAYMENTS

(a) **Payments restricted to effectuation of purposes of the program.**—All or any part of any payment which would otherwise be made to any person under these regulations may be withheld or required to be refunded if the county committee finds that (1) he has overplanted or caused the overplanting of the acreage allotment which was or could have been established for a separately-owned tract of land included in a combination farm and refuses to cooperate with other producers having an interest in the farm in making equitable adjustments with respect thereto, or (2) he has adopted any practices which the Secretary determines tend to defeat any of the purposes for which parity payments are made.

(b) **Overplanting on other farms.**—All or any part of any payment which would otherwise be made to any person under these regulations may be withheld or required to be refunded (1) if such person's share of the 1940 acreage of corn, cotton, rice, tobacco, or wheat on other farms in the county exceeds his share of the acreage allotments or permitted acreages under the 1940 Agricultural Conservation Program on such farms and the county committee determines, in accordance with instructions issued by the Agricultural Adjustment Administration that such overplanting substantially offsets the performance on the farm with respect to which payment might otherwise be made, or (2) if the State committee finds that the person's share of the 1940 acreage of corn, cotton, rice, tobacco, or wheat on any other farms in which the person has an interest exceeds such person's share of the allotment or permitted acreage under the 1940 Agricultural Conservation Program on such farms to such an extent as to offset substantially the performance on the farm with respect to which payment might otherwise be made.

(c) **Payments made without regard to claims.**—Any payment or share of payment shall be made without regard to questions of title under State law, without deduction of assignments or claims for advances (except indebtedness to the United States subject to setoff under orders issued by the Secretary), and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

(d) **Changes in leasing and cropping agreements, reduction in number of tenants, and other devices.**—If on any farm in 1940 any change of the arrange-



ments which existed on the farm in 1939 is made between the landlord or operator and the tenants or sharecroppers and such change would cause the landlord or operator to receive a greater proportion of the payments than they would otherwise receive, payments to the landlord or operator shall not be greater than the amount they would have received if the arrangements which existed on the farm in 1939 had been continued in 1940, if the county committee certifies that the change is not justified and disapproves such change.

If on any farm the number of sharecroppers or share tenants in 1940 is less than the average number on the farm during the three years 1937 to 1939 and such reduction would increase the payments that would otherwise be made to the landlord or operator, such payments shall not be greater than the amount that would otherwise be made, if the county committee certifies that the reduction is not justified and disapproves such reduction.

If the State committee finds that any person who files an application for payment has employed any other scheme or device, (including coercion, fraud, or misrepresentation) the effect of which would be or has been to deprive any other person of any payment under these regulations to which such person would normally be entitled, the Secretary may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require such person to refund, in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the program.

#### SEC. 6.—DEDUCTION FOR ASSOCIATION EXPENSES

No part of the parity payment computed for any farm shall be deducted for county association expenses incurred or to be incurred in connection with 1940 parity payments.

#### SEC. 7.—APPLICATION FOR PAYMENT

Payment will be made only upon application submitted through the county office on or before a date fixed by the Regional Director, but not later than December 31, 1940. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm, (2) to refuse to accept any application for payment if any form or information required is not submitted to the county office within the time fixed by the Regional Director. At least two weeks notice to the public shall be given of the expiration of a time limit for filing prescribed forms, and any time limit fixed shall be such as affords a full and fair opportunity to those eligible to file the form within the period prescribed. Such notice shall be given by mailing the same to the office of each county committee and making copies of the same available to the press.

#### SEC. 8.—APPEALS

Any person may, within 15 days after notice thereof is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation or determination in any of the following matters respecting any farm in the operation of which he has an interest as landlord, tenant, or sharecropper: (a) Eligibility to file an application for payment; (b) the division of payment; or (c) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person of its decision in writing within 15 days after receipt of such written request for reconsideration. If such person is dissatisfied with the decision of the county committee he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person of its decision in writing within 30 days after the receipt of the appeal. If such person is dissatisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the regional director to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee shall also be issued to each person known to it who, as landlord, tenant, or sharecropper having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows



that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter further, but any person who, as landlord, tenant or sharecropper having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal shall be given a full and fair hearing if he appears when the hearing thereon is held.

#### SEC. 9.—FORMS AND INSTRUCTIONS

The Agricultural Adjustment Administration shall prescribe such forms and issue such instructions as may be necessary to carry out these regulations.

#### SEC. 10.—PERFORMANCE OF DUTIES OF STATE AND COUNTY COMMITTEES IN HAWAII AND PUERTO RICO

In the event State and county agricultural conservation committees have not been established in the Territory of Hawaii or Puerto Rico, the Officer in Charge, Agricultural Adjustment Administration, Territory of Hawaii, or Puerto Rico, as the case may be, shall perform the duties of both the State and county committees as set forth in these regulations.

#### SEC. 11.—DEFINITIONS

As used herein and in all forms and documents relating to 1940 parity payments for producers of wheat, cotton, corn (in the commercial corn-producing area), rice, and tobacco, unless the context or subject-matter otherwise requires, the terms:

(a) Secretary, Regional Director, State committee, county committee, person, landlord, tenant, sharecropper, commercial corn-producing area, acreage planted to wheat, acreage planted to cotton, and acreage planted to corn shall have the same meanings assigned to them in the 1940 Agricultural Conservation Program Bulletin and supplements thereto.

(b) Farm means the area of land considered as a farm for the purposes of the 1940 Agricultural Conservation Program.

(c) Parity and marketing year shall have the same meanings assigned to them in the Agricultural Adjustment Act of 1938.

#### SEC. 12.—AUTHORITY

These regulations are approved pursuant to the authority vested in the Secretary of Agriculture by the item entitled "Parity payments" under the head "Conservation and Use of Agricultural Land Resources, Department of Agriculture," contained in the Department of Agriculture Appropriation Act, 1940 (Public, No. 159, 76th Congress, approved June 30, 1939; 53 Stat. 974) and pursuant to the provisions of Section 303 of the Agricultural Adjustment Act of 1938, approved February 16, 1938 (Public Law No. 430, 75th Congress, 3d Session; 52 Stat. 45).

Done at Washington, D. C., this 12th day of February, 1940. Witness my hand and the seal of the Department of Agriculture.<sup>1</sup>

[SEAL]

H. A. WALLACE,  
*Secretary of Agriculture.*

<sup>1</sup> This is the attestation of supplement 1 to the 1940 Parity Payment Regulations. A similar attestation appeared on the regulations approved October 18, 1939.



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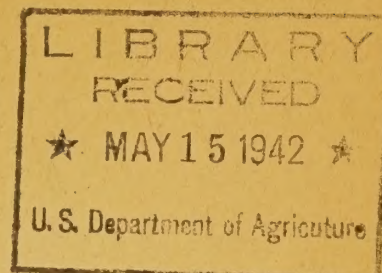
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Issued March 28, 1942

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL CONSERVATION AND ADJUSTMENT ADMINISTRATION  
AGRICULTURAL ADJUSTMENT AGENCY

1940--Parity Payment Regulations

Supplement No. 4



The 1940 Parity Payment Regulations, approved by the Secretary October 18, 1939, as amended, are further amended as follows:

1. Section 4 is amended by adding the following sentence at the end thereof:

Section 4 Division of Payment In cases where the landlords, tenants, or sharecroppers have lost their interests in any commodity after planting but prior to harvest thereof, by reason of the acquisition of title to, or lease of, their farms for use in the national defense program, the net payment computed with respect to such commodity shall be divided among such persons in the same proportion that the county committee determines that such persons would have been entitled, as of the time of harvest, to share in the proceeds of such commodity except for such acquisition of title or lease.

2. Section 7, the first sentence is amended to read as follows:

Section 7 Application For Payment

Payment will be made only upon application submitted through the county committee on or before a date fixed by the regional director, but not later than December 31, 1940, except that (1) applications may be submitted by landlords, tenants, or sharecroppers who lost their interests in any commodity after planting but prior to harvest thereof, by reason of the acquisition of title to, or lease of, their farms for use in the national defense program not later than April 30, 1942, provided full compensation for the amount of the payments was not otherwise made in connection with such acquisition of title or lease, (2) the timely filing of an application by one person on a farm shall constitute a



timely filing on behalf of all persons on that farm, and  
(3) an application for payment may be accepted if the State  
committee or its designated representative determines, in  
accordance with instructions issued by the regional director  
with the approval of the Agricultural Adjustment Agency of the  
Agricultural Conservation and Adjustment Administration, that  
the failure to file a timely application was not due to the  
fault of the applicant.

Done at Washington, D. C.,  
this 28th day of March 1942.  
Witness my hand and the seal of  
the Department of Agriculture.

(SEAL)

/s/ Grover B. Hill  
Assistant Secretary of Agriculture